

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 26, 2011
Panel - A**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:15 A.M. on January 26, 2011 in Board Room 2, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS
PRESENT:

Florence Jones-Clarke, R.N., M.S., Vice President
Peregrin Francisco, R.N., M.S.A.,
Joyce A. Hahn, PhD., A.P.R.N., NEA-BC
John M. Horn, L.P.N.
Karen K. Schultz, PhD., M.B.A., Citizen Member
William Traynham, L.P.N.

STAFF PRESENT:

Gloria D. Mitchell, R.N., M.S.N., M.B.A, Deputy Executive Director
Linda Kleiner, R.N., Discipline Case Manager
Krystal Blanton, Senior Discipline Specialist

OTHERS PRESENT:

Howard M. Casway, Senior Assistant Attorney General

ESTABLISHMENT OF
A QUORUM:

With six members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Eleanor Allen, C.N.A. 1401-013227

Ms. Allen did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Eleanor Allen and enter a finding of abuse against her in the Virginia Nurse Aide Registry.
The motion was seconded and carried unanimously.

Connie Cruz, C.N.A. 1401-034437

Ms. Cruz did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Connie Cruz and enter a finding of misappropriation of patient property in the Virginia Nurse Aide Registry.
The motion was seconded and carried unanimously.

Kadiatu Diallo, C.N.A. 1401-096862

Ms. Diallo did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Kadiatu Diallo and enter a finding of abuse against her in the Virginia Nurse Aide Registry.
The motion was seconded and carried unanimously.

Tracy Parker, C.N.A. 1401-126106

Ms. Parker did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend Tracy Parker's right to renew her certificate to practice as a nurse aide until such time as she can appear before the Board and demonstrate sufficient evidence that she is capable of resuming the safe and competent practice as a nurse aide.

The motion was seconded and carried unanimously.

Linda (Ferguson) Smith, C.N.A. 1401-133874

Ms. Smith did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Linda Smith.

The motion was seconded and carried unanimously.

Elizabeth A. Bell, C.N.A. 1401-109314

Ms. Bell did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Elizabeth Bell.

The motion was seconded and carried unanimously.

Crystal G. Reedy (Ray), C.N.A. 1401-053513

Ms. Reedy (Ray) did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Crystal Reedy (Ray) and enter a finding of misappropriation of patient property against her in the Virginia Nurse Aide Registry.

The motion was seconded and carried unanimously.

Sheena Joyner, C.N.A. 1401-06112

Ms. Joyner did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the right of Sheena Joyner to renew her certificate to practice as a nurse aide in Virginia and enter a finding of abuse against her in the Virginia Nurse Aide Registry.

The motion was seconded and carried unanimously.

Mary Ann Cash, R.N. Privilege (Arizona RN146825); L.N.P. 0024-167268

Ms. Cash did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend Mary Ann Cash's privilege to practice professional nursing in Virginia until such time as she appears before the Board and demonstrates that she is capable of resuming the safe and competent practice of professional nursing. The motion was seconded and carried unanimously.

Melissia Boyd, R.N. 0001-222744

Ms. Boyd did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Melissia Boyd. The motion was seconded and carried unanimously.

Abigail Chaney, L.P.N. 0002-064293

Ms. Chaney did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Abigail Chaney with suspension to be stayed contingent upon Ms. Chaney's entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Stacy Gayle, L.P.N. 0002-076307

Ms. Gayle did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Stacy Gayle until she can demonstrate to the Board that she is capable of resuming the safe and competent practice of practical nursing. The motion was seconded and carried unanimously.

Jacquelyn Bridgett Clark, C.N.A. 1401-089598

Ms. Clark did not appear.

Mr. Horn moved that the Board of Nursing modify the recommended decision of the agency subordinate to revoke the nurse aide certificate of Jacqueline Clark and enter a finding of misappropriation in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Amy Evans, C.N.A. 1401-079465

Ms. Evans did not appear.

Ms. Jones-Clarke moved that the Board of Nursing modify the recommended decision of the agency subordinate to revoke the nurse aide certificate of Amy Evans. The motion was seconded and carried unanimously.

Cortina Warrick, C.N.A. 1401-026980

Ms. Warrick did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Cortina Warrick and enter a finding of misappropriation of patient property against her in the Virginia Nurse Aide Registry. The motion was seconded and carried unanimously.

Christy L. States, R.N. 0001-196201

Ms. States did not appear.

Dr. Hahn moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Christy States until such time as she can appear before the Board and demonstrate that she is capable of returning to the safe and competent practice of professional nursing. The motion was seconded and carried. Ms. Jones-Clarke, Dr. Hahn, Dr. Schultz and Mr. Traynham were in favor of the motion. Ms. Francisco and Mr. Horn opposed the motion.

Jasmine Johnson, C.N.A. 1401-130550

Ms. Johnson did not appear.

Mr. Traynham moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jasmine Johnson. The motion was seconded and carried unanimously.

Sarah Cleveland, R.N. 0001-204019

Ms. Cleveland did not appear.

Dr. Schultz moved that the Board of Nursing modify the recommended decision of the agency subordinate to reprimand Sarah Cleveland and to take no further action contingent upon her continued compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

FORMAL HEARINGS:

Kathryn M. Walsh, R.N. 0001-153036

Ms. Walsh appeared, accompanied by a friend, Louise Bosenstein.

Wendell Roberts, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Maureen Schnittger, R.N., Senior Investigator, Department of Health Professions and Rebecca Britt, M.S.W., Health Practitioners Monitoring Program were present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 2:13 P.M. for the purpose of deliberation to reach a decision in the matter of Ms. Walsh. Additionally, Mr. Traynham moved that Ms. Mitchell, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations. The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 2:35 P.M.

Mr. Traynham moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Roberts and amended by the Board.

The motion was seconded and carried unanimously.

ACTION:

Dr. Hahn moved that the Board of Nursing continue the professional license of Kathryn Walsh on indefinite suspension for a period of not less than one year from date of entry of the order. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Myrtle Stapleton, R.N. 0001-183264

Ms. Stapleton did not appear.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Rachel Shaw, Senior Investigator, Department of Health Professions and Leigh Kammerer, Intake Coordinator, Health Practitioners Monitoring Program was present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Stapleton. Additionally, Mr. Traynham moved that Ms. Mitchell, Ms. Kleiner, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:05 P.M.

Mr. Traynham moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Francisco moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Rutkowski.
The motion was seconded and carried unanimously.

ACTION:

Mr. Horn moved that the Board of Nursing continue the professional nursing license of Myrtle Stapleton on indefinite suspension and further indefinitely suspend the right to renew her professional nursing license. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

FORMAL HEARINGS:

Stacey Chism, L.P.N. 0002-066368

Ms. Chism did not appear.

James Rutkowski, Adjudication Specialist, represented the Commonwealth. Mr. Casway was legal counsel for the Board. Beth Aliff, court reporter, recorded the proceedings.

Dawn France, M.S.W., Case Manager, Health Practitioner Monitoring Program and Andria Christian, Senior Investigator, Department of Health Professions were present and testified.

CLOSED MEETING:

Mr. Traynham moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 3:27 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Chism. Additionally, Mr. Traynham moved that Ms. Mitchell, Ms. Kleiner, Ms. Blanton and Mr. Casway attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 3:32 P.M.

Mr. Traynham moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Dr. Hahn moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Rutkowski.
The motion was seconded and carried unanimously.

ACTION:

Mr. Horn moved that the Board of Nursing continue the practical nursing license of Stacey Chism on indefinite suspension and further indefinitely suspend the right to renew her license. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 3:30 P.M.

Gloria D. Mitchell, R.N., M.S.N., M.B.A.
Deputy Executive Director

**VIRGINIA BOARD OF NURSING
FORMAL HEARINGS
January 26, 2011
Panel - B**

TIME AND PLACE: The meeting of the Virginia Board of Nursing was called to order at 9:00 A.M. on January 26, 2011 in Board Room 4, Department of Health Professions, 9960 Mayland Drive, Suite 201, Henrico Virginia.

BOARD MEMBERS

PRESENT: Judith E. Piersall, R.N., B.S.N., Chairperson
Evelyn Lindsay, L.P.N.
Allison Gregory, R.N., L.N.P.
Louise D. Hartz, Citizen Member
Jeanne Holmes, Citizen Member
Patricia C. Lane, R.N., B.S.N.

STAFF PRESENT: Jodi P. Power, R.N., J.D., Deputy Executive Director
Paula B. Saxby, R.N., Ph.D., Deputy Executive Director (joined later)
Brenda Krohn, R.N., M.S., Deputy Executive Director
Amy Davis, Executive Assistant

OTHERS PRESENT: Rachel Baer, Assistant Attorney General

ESTABLISHMENT OF
A QUORUM: With six members of the Board present, a quorum was established.

CONSIDERATION OF AGENCY SUBORDINATE RECOMMENDATIONS:

Joan F. Steenburgh, L.P.N. 0002-020681
Ms. Steenburgh appeared.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:05 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 9:07 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Lindsay moved to accept the recommended decision of the agency subordinate to reprimand Joan Steenburgh. The motion was seconded and carried unanimously.

Carolina J. Meyers, R.N. 0001-215850

Ms. Meyers appeared.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:13 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:16 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Gregory moved to accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Carolina Meyers for a period of not less than one year and until such time as she is able to appear before the Board and demonstrate she is capable of resuming the safe and competent practice of professional nursing.. The motion was seconded and carried unanimously.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:20 A.M., for the purpose of consideration of agency subordinate recommendations. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:35 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Pamela E. Chapman, R.N. 0001-178472

Ms. Chapman did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action against Pamela Chapman contingent upon evidence of her entering into the Health Practitioners Monitoring Program within 45 days of entry of the Board's order and thereafter remaining in compliance with the Health Practitioners Monitoring Program. The motion was seconded and carried unanimously.

Stephanie D. Thompson, L.P.N. 0002-078131

Ms. Thompson did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Stephanie Thompson and to indefinitely suspend her practical nursing license until such time as she can demonstrate to the Board that she is capable of resuming the safe and competent practice of practical nursing.

The motion was seconded and carried unanimously.

Joseph E. Masci, R.N. 0001-157820

Mr. Masci did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Joseph Masci and to indefinitely suspend the professional nursing license of Mr. Masci until such time as he can demonstrate to the Board that he is capable of resuming the safe and competent practice of professional nursing.

The motion was seconded and carried unanimously.

Jenny Linville, L.P.N. 0002-057004

Ms. Linville did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Jenny Linville and further require Ms. Linville to have a mental health evaluation and a substance abuse evaluation by a specialist satisfactory to the Board and to have a written report of the evaluation, including a diagnosis, recommended course of therapy, prognosis and any recommendations sent to the Board within 90 days of the date the order is entered. Ms. Linville shall comply with the recommendations of the specialist, if any, and she shall provide authorization for free communication with the Board, its authorized agents and the specialist. Upon receipt of the required information, the Board may request Ms. Linville to appear before a Special Conference Committee in order to consider the specialist's recommendation and to make a final disposition of the matter.

The motion was seconded and carried unanimously.

Ellen A. Smith, R. N. 0001-085254

Ms. Smith did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action at this time in the matter of Ellen Smith contingent upon Ms. Smith's continued compliance with the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Candace Y. Ogden, R.N. 0001-088261

Ms. Ogden did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to accept the voluntary surrender for indefinite suspension of Candace Ogden's right to renew her professional nursing license until such time as she appears before the Board and demonstrates that she can resume the safe and competent practice of nursing.

The motion was seconded and carried unanimously.

Stacy L. Smith Riedt, R.N. 0001-177344

Ms. Riedt did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Stacy Riedt.

The motion was seconded and carried unanimously.

Kimberly Beach Hammonds Holt, R.N. 0001-110758

Ms. Holt did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to take no action in the matter of Kimberly Holt contingent upon Ms. Holt's continued compliance with the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously.

Yabom Conteh, C.N.A. 1401-099538

Ms. Conteh did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to deny the petition of Yabom Conteh for removal of the finding of neglect based on a single occurrence.

The motion was seconded and carried unanimously.

Christina Howell, L.P.N. 0002-079155

Ms. Howell did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand Christina Howell and require Ms. Howell to successfully complete the National Council of State Boards of Nursing online course "Documentation: A Critical Aspect of Client Care" within 30 days of entry of the order.

The motion was seconded and carried unanimously.

John Lewis, R.N. 0001-180295

Mr. Lewis did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand John Lewis and place Mr. Lewis on probation for two years of actual nursing practice subject to terms and conditions. The motion was seconded and carried unanimously.

Saundra Trouslot, R.N. 0001-220846

Ms. Trouslot did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Saundra Trouslot, but stay the suspension contingent upon Ms. Trouslot's re-entry into and continued compliance with the Health Practitioners Monitoring Program.

The motion was seconded and carried unanimously

Andrew E. Taylor, R.N. 0001-174550

Mr. Taylor did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Andrew Taylor for a period of not less than two years and until he can demonstrate to the Board that he is capable of resuming the safe and competent practice of professional nursing.

The motion was seconded and carried unanimously

Michelle C. Marino, L.P.N. 0002-076182

Ms. Marion did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Michelle Marino for a period of not less than two years and until such time as she can demonstrate to the Board that she is capable to resume the safe and competent practice of practical nursing.

The motion was seconded and carried unanimously

Jennifer L. Taylor, L.P.N. 0002-073428

Ms. Taylor did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Jennifer Taylor for a period of not less than two years and until she can demonstrate to the Board that she is capable of resuming the safe and competent practice of practical nursing.

The motion was seconded and carried unanimously.

Linda Auguste, C.N.A. 1401-129004

Ms. Auguste did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to revoke the nurse aide certificate of Linda Auguste

and that a finding of neglect be entered against her in the Nurse Aide Registry based on a single occurrence.

The motion was seconded and carried unanimously.

LaShawn E. Hines Guerrant, C.N.A. 1401-106118

Ms. Guerrant did not appear.

Ms. Gregory moved that the Board of Nursing accept the recommended decision of the agency subordinate to reprimand LaShawn Guerrant.

The motion was seconded and carried unanimously.

Jeannie Elizabeth Fabiano, R.N. 0001-172357

Ms. Fabiano did not appear.

Ms. Lane moved that the Board of Nursing modify the recommended decision of the agency subordinate to indefinitely suspend the professional nursing license of Jeannie Fabiano, but stay the suspension contingent upon her re-entry into the Health Practitioners Monitoring Program and thereafter remaining in compliance with the Health Practitioners Monitoring Program.

The motion was seconded and carried. Ms. Hartz, Ms. Holmes, Ms. Piersall, Ms. Lane and Ms. Lindsay were in favor of the motion. Ms. Gregory opposed the motion.

Betty J. Hill, L.P.N. 0002-025086

Ms. Hill appeared.

CLOSED MEETING:

Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 9:40 A.M., for the purpose of consideration of an agency subordinate recommendation. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.

The motion was seconded and carried unanimously.

RECONVENTION:

The Board reconvened in open session at 9:44 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.

The motion was seconded and carried unanimously.

Ms. Lindsay moved to accept the recommended decision of the agency subordinate to indefinitely suspend the practical nursing license of Betty Hill until she can demonstrate to the Board that she is capable of resuming the safe and competent practice of practical nursing. The motion was seconded and carried unanimously.

RECESS:

The Board recessed at 9:45 A.M.

RECONVENTION: The Board reconvened at 10:00 A.M.

Dr. Saxby joined the meeting.

FORMAL HEARINGS: **Lorveline Montreuil, R.N. Applicant**
Ms. Montreuil appeared.

Amanda Blount, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 10:28 A.M. for the purpose of deliberation to reach a decision in the matter of Ms. Montreuil. Additionally, Ms. Lindsay moved that Ms. Power, Dr. Saxby, Ms. Davis and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 10:55 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Holmes moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Blount and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Lane moved that the Board of Nursing deny the application of Lorveline Montreuil for licensure as a professional nurse until she can demonstrate she meets the qualifications for licensure by endorsement in Virginia. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Krohn left the meeting.

FORMAL HEARINGS: **Nellie Etienne, L.P.N. Applicant**
Ms. Etienne did not appear.

Amanda Blount, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 11:22 A.M., for the purpose of

deliberation to reach a decision in the matter of Ms. Etienne. Additionally, Ms. Lindsay moved that Ms. Power, Dr. Saxby, Ms. Davis and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 11:43 A.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Hartz moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Ms. Blount and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Lane moved that the Board of Nursing deny the application of Nellie Etienne as a practical nurse until such time as she can demonstrate she meets the requirements for licensure by examination in Virginia. The motion was seconded and carried unanimously.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Ms. Krohn re-joined the meeting. Dr. Saxby left the meeting.

RECESS: The Board recessed at 11:48 A.M.

RECONVENTION: The Board reconvened at 1:06 P.M.

FORMAL HEARINGS: **Mary E. Neary R.N. 0001-133648**
Ms. Neary appeared, represented by attorney Pamela Branch; and her husband, Michael Neary.

David Kazzie, Adjudication Specialist, represented the Commonwealth. Ms. Baer was legal counsel for the Board. Lynn Taylor, court reporter, recorded the proceedings.

Kim Lynch, Senior Investigator, Department of Health Professions ; Tonya James, Compliance Case Manager, Board of Nursing; Mary Gossage, R.N., UVA Health System; Rebecca Gilbert, R.N., UVA Health System; and Maria Campbell, R.N., UVA Health System were present and testified. Teresa Bevins, Social Worker, UVA Health System; Claire Johnson, Health Unit Coordinator, UVA Health System; and Jennifer Kilel, R.N., UVA Health System testified by telephone.

RECESS: The Board recessed at 3:40 P.M.

RECONVENTION: The Board reconvened at 3:50 P.M.

CLOSED MEETING: Ms. Lindsay moved that the Board of Nursing convene a closed meeting pursuant to §2.2-3711(A)(27) of the *Code of Virginia* at 6:00 P.M., for the purpose of deliberation to reach a decision in the matter of Ms. Neary. Additionally, Ms. Lindsay moved that Ms. Power, Ms. Krohn, Ms. Davis and Ms. Baer attend the closed meeting because their presence in the closed meeting is deemed necessary and their presence will aid the Board in its deliberations.
The motion was seconded and carried unanimously.

RECONVENTION: The Board reconvened in open session at 6:40 P.M.

Ms. Lindsay moved that the Board of Nursing certify that it heard, discussed or considered only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened.
The motion was seconded and carried unanimously.

Ms. Gregory moved that the Board of Nursing accept the findings of fact and conclusions of law as presented by Mr. Kazzie and amended by the Board.
The motion was seconded and carried unanimously.

ACTION: Ms. Holmes moved that the Board of Nursing reprimand Mary Neary and extend her current probation for an additional two years of actual professional nursing employment with additional terms to include completing the National Council of State Boards of Nursing online courses “Professional Accountability and Legal Liability for Nurses” and “Documentation: A Critical Aspect of Client Care” within 60 days of entry of the order and require that she practice in a supervised setting acceptable to the Board for the entire period of probation. The motion was seconded and carried. Ms. Holmes, Ms. Gregory, Ms. Hartz and Ms. Piersall were in favor of the motion. Ms. Lane and Ms. Lindsay opposed the motion.

This decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

ADJOURNMENT: The Board adjourned at 6:45 P.M.

Jodi P. Power, R.N., J.D.
Deputy Executive Director